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**MEMO ENDORSED**

May 14, 2008

BY HAND

Honorable Kevin Nathaniel Fox  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Chandler v. City of New York, et al., 07 CV 10412 (PAC)(KNF)

Dear Magistrate Judge Fox:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney for defendants the City of New York (“City”), the New York City Police Department (“NYPD”) and Police Officer Patricia Lezcano in the above-referenced matter.<sup>1</sup> As Your Honor may recall, by Order dated April 22, 2008, the Court granted defendants City, NYPD, and Officer Lezcano an enlargement of time, until June 6, 2008, to answer or otherwise respond to the complaint. This office recently learned that Police Officer Joseph Gallagher may have recently been served with a copy of the summons and amended complaint in this action. Accordingly, I am writing to respectfully request a corresponding enlargement of time, from May 14, 2008 until June 6, 2008, for defendant Officer Gallagher to respond to the amended complaint.<sup>2</sup> I write directly to the Court because plaintiff is currently incarcerated and proceeding pro se in this matter. No previous request for an extension has been made on behalf of Officer Gallagher.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending defendant Officer Gallagher’s time to answer or otherwise respond to the amended complaint until June 6, 2008.

5/15/08  
Application granted.  
so ORDERED:  
Kevin Nathaniel Fox, U.S.M.J.

<sup>1</sup> Defendants respectfully submit that NYPD is not a suable entity.

<sup>2</sup> Although this office does not currently represent Officer Gallagher, we respectfully request this extension on his behalf so that his defenses are not jeopardized.

Thank you for your consideration in this regard.

Respectfully submitted,



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